

REMARKS

The Amendments

Claim 1 has been cancelled and the text thereof now is found in claim 2, so that claim 2 now can be considered to be in non-dependent form. Claims 4, 6, and 9 have been amended to change dependencies. Other pending claims have been cancelled. Applicants respectfully submit that the amendment adds no new matter to the application and earnestly solicits entry thereof.

Applicants respectfully submit that these claim amendments are supported throughout the specification and claims. Applicants respectfully submit that the amendment adds no new matter to the application and earnestly solicit entry thereof.

The Invention

Claim 2 is directed to a cigarette having a tobacco rod and a wrapper for the rod, wherein the wrapper is combustible, burns, and ashes, and comprises porous particulate cerium oxide an average particle size of less than about 30 μm .

The Office Action

Claims 2 and 3 are objected to and are not rejected on the merits. Because the claims are not rejected on the merits, there is no discussion of the cited documents.

Claim 2 has been amended to traverse the objection by more particularly pointing out and distinctly claiming the subject matter applicants regard as the invention. The text from claim 1 has been directly imported into the language of claim 2, instead of having claim 2 depend from claim 1.

Claims 4-11 have been amended to depend from claim 2, directly or indirectly.

Therefore, applicants respectfully submit that the claims are in unambiguous condition for allowance, as each claim is unambiguously in condition for allowance.

CONCLUSION

Applicants respectfully submit that the claims unambiguously are in condition for allowance for at least the reasons set forth above. Applicants respectfully traverse the pending rejections and earnestly solicit favorable action thereon.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Date: December 15, 2009

By: /William J. Fisher/
Registration No. 32,133

Banner & Witcoff, Ltd.
1100 13th Street N.W.
Washington, D.C. 20005-4051
(202) 824-3000

Customer No. 22907

13845346